IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3073 OF 2006
in
FIRST APPEAL NO.526 OF 1998

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OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

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Shri B.M. Yadav for the Applicant.
Shri Dixit i/by V.S. Kapse for the Respondent No.1.

CORAM : A. S. OKA, J.
DATE : JULY 28, 2006.

P.C.:

1. Heard the counsel appearing for the parties. In view of the averments made in the Application, case for restoration is made out. The First Appeal has been dismissed as the Advocate for the Applicant could not remove office objections in the First Appeal.Considering the delay in making Application, the Applicant will have to pay costs. Hence, Application is allowed in terms of prayer clauses (a) and (b) subject to condition of the Applicant paying costs of Rs.07,500/- to the first Respondent within period of four weeks from today. Payment of costs will be condition

precedent. Prayer clause (c) is not granted.

2. All office objections in the First Appeal will be removed within the period of four weeks from today. If office objections are not removed within the stipulated time, order of dismissal will stand. Time will not be extended.

JUDGE